

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 33

October 5, 2005

**SUBJECT: TRAFFIC NOTICE TO APPEAR, FORM 4.50.0, AND NON-TRAFFIC
NOTICE TO APPEAR, FORM 5.02.2 - REVISED**

PURPOSE: The Judicial Council of California (JCC) has mandated changes to Forms TR-130 (Traffic Notice to Appear, Form 4.05.0) and TR-120 (Non-Traffic Notice to Appear, Form 5.02.2). Recent legislation requires revisions of Notice to Appear Citation forms to provide verification of booking, when booking is required, and to include information necessary to determine eligibility for Traffic Violator School (TVS). This complies with amended Vehicle Code Section 42005, that prohibits dismissal of traffic violations for attendance of TVS by drivers with a commercial driver license. As a result, the Traffic Notice to Appear, Form 4.50.0, and the Non-Traffic Notice to Appear, Form 5.02.2, have been revised to comply with the State requirements.

PROCEDURE:

I. TRAFFIC NOTICE TO APPEAR, FORM 4.50.0 - REVISED. The Traffic Notice to Appear, Form 4.50.0, has been revised.

A. Use of Form. The use of this form has not changed.

B. Completion. Current completion procedures remain in effect, with the following revisions and additions:

1. Commercial Driver License designation box. The Commercial Driver License designation box has been added to specify whether a violator has a commercial driver license.

2. Verification of Booking. A new section has been added to the reverse side of the defendant's copy with booking instructions and a verification of booking. If the "Booking Required" check box is checked, the verification of booking on the defendant's copy of the form must be completed by the issuing agency before the defendant appears in court.

C. Distribution.

- 1 - Original (green), submitted to the Traffic Court Liaison Unit.
- 1 - Copy (white), given to the violator in the field by the issuing officer.
- 1 - Copy (goldenrod), remains in the citation book.

3 - TOTAL

When a juvenile is cited on a Traffic Notice to Appear, Form 4.50.0, the issuing officer shall make a photocopy of the citation and attach it to his/her Daily Field Activities Report, Form 15.52.0. The reviewing supervisor shall forward the photocopy to Data Entry, Information Technology Division.

II. NON-TRAFFIC NOTICE TO APPEAR, FORM 5.02.2 - REVISED. The Non-Traffic Notice to Appear, Form 5.02.2, is revised.

A. Use of Form. The use of this form has not changed.

B. Completion. Current completion procedures remain in effect, with the following addition:

- 1. Verification of Booking.** A new section has been added to the reverse side of the defendant's copy with booking instructions and a verification of booking. If the "Booking Required" check box is checked, the verification of booking on the defendant's copy of the form must be completed by the issuing agency before the defendant appears in court.

C. Distribution. The distribution of this form remains the same.

FORM AVAILABILITY: The Traffic Notice to Appear, Form 4.50.0, and the Non-Traffic Notice to Appear, Form 5.02.2, will be available for ordering from the Department of General Services, Distribution Center, in about 60 days. Copies of the revised forms are attached for reference.

AMMENDMENTS: This Order amends Sections 5/4.50.0 and 5/5.02.2 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Special Operations Bureau, shall monitor compliance with this directive in accordance with Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

Attachments

DISTRIBUTION "A"